

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

MDL No. 3047

People of the State of California, et al.,

V.

Meta Platforms, Inc., Instagram, LLC, Meta Payments, Inc., Meta Platforms Technologies, LLC

Case Nos. 4:23-cv-05448-YGR
4:22-md-03047-YGR-PHK
Honorable Yvonne Gonzalez Rogers

IN RE: SOCIAL MEDIA ADOLESCENT
ADDICTION/PERSONAL INJURY PRODUCTS
LIABILITY LITIGATION

THIS DOCUMENT RELATES TO:

ALL ACTIONS

**STIPULATION AND [PROPOSED]
ORDER AGREEING TO FILING OF
AMENDED COMPLAINT**

Pursuant to Civil Local Rule 7-12 and Federal Rule of Civil Procedure 15(a)(2), the undersigned Plaintiffs the States of Arizona, Hawai’i, Maine, Ohio, Oregon, Rhode Island, and Washington (“Transitioning AGs”) and Meta Platforms, Inc., Instagram, LLC, Meta Payments, Inc., Meta Platforms Technologies, LLC (“Meta,” and together with the Transitioning AGs, the “Parties”), through their undersigned counsel, hereby stipulate as follows:

1. Since the MDL State AGs commenced this action against Meta, Plaintiffs the States of Georgia, Michigan, Missouri, and North Dakota have dismissed their claims against Meta. ECF Nos. 1219 (North Dakota), 1359 (Georgia), and 1612 (Michigan); ECF No. 203, Index No. 4:23-CV-05448 (Missouri).

2. Plaintiffs the States of Arizona, Hawai'i, Maine, Ohio, Oregon, Rhode Island, and Washington have agreed to dismiss, with prejudice, each's state law claims against Meta. These Transitioning AGs have represented to Meta that, in order to prove their claim that Meta violated the Children's Online Privacy Protection Act ("COPPA") as pleaded in Count I, they need not demonstrate

1 that Meta's social media platforms had an adverse effect on teen mental health or wellbeing and therefore
2 such evidence is not directly relevant to their COPPA claim. These Transitioning AGs have further
3 represented that they will not introduce or rely on evidence regarding teen mental health or wellbeing, or
4 the purported impact of social media on teen mental health or wellbeing, unless such evidence is (a) found
5 within an exhibit or other evidence relevant to an element of their COPPA claim, or to Meta's defenses,
6 or (b) for the purposes of impeaching witness testimony. For the avoidance of doubt, nothing in this
7 stipulation shall limit the ability of other MDL State AGs who are claiming both consumer protection and
8 COPPA violations to introduce, present, or rely on such evidence including at a common trial with the
9 Transitioning AGs, or Meta's ability to object to any effort to introduce, present, or rely on such evidence
10 on any basis whatsoever.¹ Meta, in reliance on those statements and on the condition of the Transitioning
11 AGs dismissing, with prejudice, their state law claims against Meta, has agreed to withdraw all discovery
12 requests with respect to the state agencies listed in Exhibit A and to refrain from propounding additional
13 discovery seeking documents or information pursuant to Fed. R. Civ. P. 30, 31, and 33-36 from any state
14 agency within the States of Arizona, Hawai'i, Maine, Ohio, Oregon, Rhode Island, and Washington other
15 than from the Office of the Attorney General in connection with the claims brought by the Transitioning
16 AGs. For the avoidance of doubt, (a) the Transitioning AGs shall continue to maintain claims that Meta
17 violated COPPA as pleaded in Count I of the Complaint; (b) Meta reserves all rights to seek and obtain
18 discovery as permitted by the federal rules with respect to that claim, except as limited herein and by Court
19 order (*E.g.* ECF 1479 at 20 ("DMO 13"); ECF 1408 at 2 ("Dec. 11, 2024 DMCS"); ECF 1696 at 2); (c)
20 nothing in this Stipulation shall limit or otherwise impact Meta's right to obtain discovery of any Plaintiff
21 State as permitted by the Court or the federal rules, including without limitation the Court's orders on
22 Federal Rule of Civil Procedure 30(b)(6) depositions (*E.g.*, ECF 1646, 1766); and (d) the Transitioning
23

24 ¹ For avoidance of doubt, the Transitioning AGs do not intend this stipulation or agreement to waive any
25 rights related to their ability to proceed with trying this case alongside other MDL State AGs or agreeing
26 in any way to bifurcation of issues or claims in this action. Meta reserves all rights with respect to whether
27 the Transitioning AGs' COPPA claims can or should be tried alongside other MDL State AGs' claims,
and/or whether any particular MDL State AG's claims can or should be tried alongside another's.

1 AGs reserve all rights to object to any such COPPA-related discovery sought by Meta including objections
 2 on the basis that such additional discovery is untimely.

3 3. Consistent with the above dismissals, the Parties wish to (a) file an Amended Complaint,
 4 which strikes the claims and allegations that have or will be dismissed in accordance with Paragraphs 1
 5 and 2 above, without altering the Complaint's paragraph numbering; (b) deem such Amended Complaint
 6 the operative complaint in the above action; and (c) deem Meta's already-filed Answer (ECF 167, Index
 7 No. 4:23-CV-05448 (N.D. Cal. January 15, 2025)) to be the operative Answer to the Amended Complaint.

8 4. Therefore, the Parties agree to the following, subject to the Court's approval:

- 9 a. The following Counts shall be dismissed, with prejudice, from the Complaint:
 - 10 i. Count II: VIOLATIONS OF THE ARIZONA CONSUMER FRAUD
 ACT, ARIZ. REV. STAT. §§ 44-1521 to -1534;
 - 11 ii. Count XIV: UNFAIR OR DECEPTIVE ACTS OR PRACTICES BY
 META IN VIOLATION OF THE HAWAII UNFAIR AND DECEPTIVE ACTS
 OR TRADE PRACTICES ACT, HAW. REV. STAT. CHAPTER 480;
 - 12 iii. Count XXIV: VIOLATIONS OF THE MAINE UNFAIR TRADE
 PRACTICES ACT, ME. REV. STAT. ANN. tit. 5, § 207;
 - 13 iv. Count XLII: VIOLATIONS OF OHIO CONSUMER SALES PRACTICES
 ACT – UNFAIR OR DECEPTIVE ACTS OR PRACTICES - OHIO REVISED
 CODE § 1345.02;
 - 14 v. Count XLIII: VIOLATIONS OF OHIO CONSUMER SALES
 PRACTICES ACT – UNCONSCIONABLE CONSUMER SALES ACTS OR
 PRACTICES - OHIO REVISED CODE §1345.03;
 - 15 vi. Count XLIV: VIOLATIONS OF OREGON'S UNLAWFUL TRADE
 PRACTICES ACT (UTPA), O.R.S. § 646.607(1);
 - 16 vii. Count XLV: VIOLATIONS OF OREGON'S UTPA, O.R.S. §
 646.608(1)(e);

1 viii. Count XLVI: VIOLATIONS OF OREGON'S UTPA, O.R.S. §
 2 646.608(1)(t);

3 ix. Count XLIX: VIOLATIONS OF RHODE ISLAND DECEPTIVE TRADE
 4 PRACTICES ACT, R.I. GEN. L. §§ 6-13.1-1 TO 6-13.1-10;

5 x. . Count LII: DECEPTIVE ACTS OR PRACTICES IN VIOLATION OF
 6 THE WASHINGTON CONSUMER PROTECTION ACT, WASH. REV. CODE
 7 § 19.86.020; and

8 xi. Count LIII: UNFAIR ACTS OR PRACTICES BY META IN VIOLATION
 9 OF THE WASHINGTON CONSUMER PROTECTION ACT, WASH. REV.
 10 CODE § 19.86.020.

11 b. As to the state agencies listed on Exhibit A, Meta withdraws its First and Second
 12 Sets of Requests of Production, and/or Rule 45 Subpoenas already served by Meta in connection with the
 13 claims brought by the Transitioning AGs. Unless otherwise agreed, Meta will return or destroy any
 14 documents already produced by any state agency in response to Meta's First and Second Sets of Requests
 15 for Production and/or Rule 45 Subpoenas within 21 days of the date that both of the following are
 16 completed: (i) this Stipulation is so-ordered; and (ii) the MDL State AGs file redacted and unredacted
 17 versions of the Amended Complaint pursuant to Paragraph 4(c) below. For the avoidance of doubt,
 18 nothing in this Stipulation shall require Meta to return or destroy any document produced with an "AG-
 19 MDL3047" Bates number prefix.

20 c. Within five (5) business days of this Court's approval of the Parties' stipulation,
 21 the MDL State AGs shall file (i) an unredacted version of the Amended Complaint under seal; and (ii) a
 22 publicly available version of the Amended Complaint with redactions applied to the same paragraphs and
 23 lines as set forth in the Court's Order on Omnibus Stipulation Regarding the Sealing Material in the States'
 24 Complaint (ECF 77, Index No. 4:23-CV-05448 (N.D. Cal. November 27, 2023)). A redacted version of
 25 the Amended Complaint is attached as Exhibit B.

1 d. Upon the filing of the Amended Complaint, Meta's Answer (ECF 167, Index No.
2 4:23-CV-05448 (N.D. Cal. January 15, 2025)) shall be deemed the operative answer to the Amended
3 Complaint, and Meta shall have no additional obligation to answer or otherwise respond to the Amended
4 Complaint.

5 e. Each party shall bear its own costs and fees with respect to the state law claims in
6 this action.

7

8 **IT IS SO STIPULATED AND AGREED.**

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10 DATED: May 30, 2025

Respectfully submitted,

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Attorneys for Plaintiff State of Washington

Exhibit A

I. Arizona Agencies

- A. Board of Regents
- B. Commerce Authority
- C. Department of Child Safety
- D. Department of Education
- E. Department of Health Services
- F. Governor's Office
- G. Governor's Office of Strategic Planning and Budgeting
- H. Office of Economic Opportunity
- I. State Board of Education

II. Hawai'i Agencies

- A. Department of Budget and Finance
- B. Department of Business, Economic Development and Tourism
- C. Department of Commerce and Consumer Affairs
- D. Department of Education
- E. Department of Health
- F. Department of Human Services
- G. Governor's Office
- H. State Council on Mental Health

III. Maine Agencies

- A. Department of Economic & Community Development
- B. Department of Education
- C. Department of Health & Human Services

- D. Division of Administration
- E. Governor's Office.

Ohio Agencies

- A. Department of Children and Youth
- B. Department of Development
- C. Department of Education & Workforce
- D. Department of Health
- E. Department of Higher Education
- F. Department of Job and Family Services
- G. Department of Mental Health & Addiction Services
- H. Department of Youth Services
- I. Office of Budget and Management
- J. Office of Governor

V. Oregon Agencies

- A. Business Oregon
- B. Department of Business and Consumer Services
- C. Department of Education
- D. Department of Administrative Services
- E. Department of Human Services
- F. Oregon Health Authority
- G. Higher Education Coordinating Commission
- H. Office of the Governor

VI. Rhode Island Agencies

- A. Board of Governors for Higher Education
- B. Department of Administration

- 1 C. Department of Behavioral Healthcare, Developmental Disabilities and Hospitals
- 2 D. Department of Children, Youth, and Families
- 3 E. Department of Education
- 4 F. Department of Health
- 5 G. Department of Human Services
- 6 H. Executive Office of Health and Human Services
- 7 I. Office of the Governor
- 8 J. Office of the Child Advocate

9 VII. Washington Agencies

- 10 A. Department of Children, Youth, and Families
- 11 B. Department of Health
- 12 C. Health Care Authority
- 13 D. Office of Financial Management
- 14 E. Office of the Governor
- 15 F. Board of Education
- 16 G. Board of Health
- 17 H. Department of Commerce
- 18 I. Department of Social and Health Services

SIGNATURE CERTIFICATION

Pursuant to Civ. L.R. 5-1(h)(3), I hereby attest that all signatories listed, and on whose behalf the filing is submitted, concur in this filing's content and have authorized this filing.

DATED: May 30, 2025

/s/ Ashley M. Simonsen
Ashley M. Simonsen

*Counsel for Meta Platforms, Inc.; Instagram, LLC;
Meta Payments, Inc.; and Meta Platforms
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IT IS SO ORDERED.
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3 DATED June 2, 2025
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YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE